

of children, can overcome this condition by clearing out the passages with Nozol;" (display carton accompanying portion of product) "Nozol Relieves Sinus Trouble \* \* \* Makes Breathing Easy \* \* \* Recommended by Specialists for \* \* \* Hay Fever, General Nose Troubles, Use Nozol for Sinus Trouble \* \* \* Sinus Trouble Relieves with Nozol. \* \* \* Nozol (Nose All)."

On June 17 and 18, 1930, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**17469. Misbranding of B-C for headache and neuralgia. U. S. v. 37 Dozen Packages, et al., of B-C for Headache and Neuralgia. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23458. I. S. Nos. 02386, 02387. S. No. 1635.)**

Samples of a drug product known as B-C for headache and neuralgia from the herein-described interstate shipment, having been found to contain drugs which may be dangerous, and to bear in the labeling certain curative and therapeutic claims not justified by its composition, the Secretary of Agriculture reported the facts to the United States attorney for the Northern District of Georgia.

On or about February 26, 1929, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 37 dozen 25-cent packages and 82 dozen 10-cent packages of B-C for headache and neuralgia, remaining in the original unbroken packages at Atlanta, Ga., alleging that the article had been shipped by the B. C. Remedy Co., from Durham, N. C., on or about January 14, 1929, and had been transported from the State of North Carolina into the State of Georgia, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "B-C for Headache and Neuralgia \* \* \* Absolutely Safe, Positive Relief, \* \* \* Sleeplessness, Brain Fatigue, La Grippe, Earache, Rheumatic and Female Pains."

Analysis of a sample of the article by this department showed that the powders contained acetylsalicylic acid (6.64 grains per powder), acetanilide (3.82 grains per powder), and potassium bromide (12.04 grains per powder).

It was alleged in substance in the libel that the article was misbranded in that the above-quoted statements regarding the curative and therapeutic effects of the article, and the standard of strength under which it was sold, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the therapeutic, curative, and preventive effects claimed.

The charges recommended by this department were that the statements on the envelope of the 25-cent package, "Absolutely safe," and on the envelope of the 10-cent package, "B-C \* \* \* May be taken with absolute safety," were false and misleading; and that the following statements regarding the curative and therapeutic effects of the article, were false and fraudulent: (Envelope, 25-cent package) "Positive Relief \* \* \* For \* \* \* Neuralgia \* \* \* Sleeplessness, Brain Fatigue, La Grippe, Earache, Rheumatic & Female Pains \* \* \* For \* \* \* Neuralgia, one powder \* \* \* If not relieved in ½ hour repeat. For LaGrippe, Rheumatic & Female Pains, one powder every ½ hour until relieved;" (envelope, 10-cent package) "For \* \* \* Neuralgia \* \* \* Earache, Toothache, Neuritis, \* \* \* Grippe, Rheumatic and Female Pains \* \* \* Neuralgia, Earache and Toothache: Take one powder and if not relieved in one hour repeat. Neuritis, Sciatica and Rheumatic Pains: One Powder every two hours until relieved, then half a powder three times a day for several days to keep pain from returning. Female Pains: One powder every hour until relief is obtained. \* \* \* Grippe and Flu: Take one powder as soon as symptoms appear; repeat every two hours until relieved."

On May 25, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*